

UNITED STATES DISTRICT COURT

for

DISTRICT OF NORTH DAKOTA

Petition for Warrant or Summons for Offender under Supervision

Name of Offender: Houston James Kirkaldie Case Number: 0868 4:14CR00049

Name of Sentencing Judicial Officer: Daniel L. Hovland, Chief U.S. District Court Judge

Date of Original Sentence: May 11, 2015

Original Offense: Count 1: Distribution of Methamphetamine
Count 2: Conspiracy to Distribute and Possess with Intent to Distribute
Methamphetamine

Original Sentence: 48 months imprisonment; 3 years supervised release (to run concurrent)

Type of Supervision: TSR Date Supervision Commenced: 3/22/2017

Asst. U.S. Attorney: Rick L. Volk Defense Attorney: Guy L. Womack

PETITIONING THE COURT

- To issue a warrant
- To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

- 1) On October 28, 2017, the defendant was arrested by Three Affiliated Tribes Law Enforcement and charged with Driving Under the Influence and Reckless Driving (Case # 2017-28542). This is in violation of the standard conditions of his release.
- 2) On January 3, 2018, the defendant submitted a positive breath test with a B.A.C. level of .099. The defendant admitted to consuming alcohol. This is in violation of the special conditions of his release.
- 3) On March 6, 2018, the defendant submitted a positive breath test with a B.A.C. level of .024. This is in violation of the special conditions of his release.

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- 4) On March 21, 2018, the defendant admitted to consuming alcohol weekly. This is in violation of the special conditions of his release.
- 5) On March 27, 2018, the defendant was arrested by Three Affiliated Tribes and charged with Driving Under Suspension. This is in violation of the standard conditions of his release.
- 6) On April 19, 2018, the defendant submitted a positive breath test with a B.A.C. level of .028. This is in violation of the special conditions of his release.
- 7) The defendant failed to report for random drug screening. This is in violation of the special conditions of his release.
- 8) The defendant has failed to submit alcohol breath tests since April 24, 2018. This is in violation of the special conditions of his release.

U.S. Probation Officer Recommendation: It is respectfully recommended a warrant be issued for the arrest of Mr. Houston James Kirkaldie and hearings be held to determine if he has violated the terms and conditions of his supervised release.

The term of supervision should be:

Revoked.
 Extended for _____ years, for a total term of _____ years.

The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 2018

/s/ Fallon Clouse
U.S. Probation Officer

THE COURT ORDERS:

No Action.
 The Issuance of a Warrant/Matter Sealed Pending Arrest.
 The Issuance of a Summons.
 Other

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[Signature]

Signature of Judicial Officer

May 1, 2018

Date